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06 UNITED STATES DISTRICT COURT  
07 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08 UNITED STATES OF AMERICA, ) CASE NO. CR08-312-MJP  
09 Plaintiff, )  
10 v. )  
11 BENJAMIN SAMUEL EPSTEIN, ) DETENTION ORDER  
12 Defendant. )  
13 \_\_\_\_\_ )

14 Offense charged: Credit Card Fraud; Aggravated Identity Theft

15 Date of Detention Hearing: September 29, 2008

16 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
17 based upon the factual findings and statement of reasons for detention hereafter set forth, finds  
18 that no condition or combination of conditions which defendant can meet will reasonably assure  
19 the appearance of defendant as required and the safety of other persons and the community.

20 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

21 (1) Defendant is charged with and has pled guilty to Credit Card Fraud and one count  
22 of Aggravated Identity Theft. He does not contest detention.

01           (2)     Defendant was not interviewed by Pretrial Services. There is limited information  
02 available about defendant's personal history, residence, family ties, ties to this District, income,  
03 financial assets or liabilities, physical/mental health or controlled substance use, if any. Defendant  
04 has a lengthy criminal history including numerous failures to appear and bench warrant activity.  
05 There are charges pending in Kitsap County Superior Court.

06           (3)     The defendant is associated with eight alias names, two dates of birth and two  
07 social security numbers.

08           (4)     The defendant poses a risk of nonappearance based on a history of failing to  
09 appear, association with alias identifiers, pending charges in Kitsap County and lack of verified  
10 background information. He poses a risk of danger due to past criminal history.

11           (5)     There does not appear to be any condition or combination of conditions that will  
12 reasonably assure the defendant's appearance at future Court hearings while addressing the danger  
13 to other persons or the community.

14 It is therefore ORDERED:

15           (1)     Defendant shall be detained pending trial and committed to the custody of the  
16 Attorney General for confinement in a correction facility separate, to the extent  
17 practicable, from persons awaiting or serving sentences or being held in custody  
18 pending appeal;

19           (2)     Defendant shall be afforded reasonable opportunity for private consultation with  
20 counsel;

21           (3)     On order of a court of the United States or on request of an attorney for the  
22 Government, the person in charge of the corrections facility in which defendant is

01 confined shall deliver the defendant to a United States Marshal for the purpose of  
02 an appearance in connection with a court proceeding; and

- 03 (4) The clerk shall direct copies of this Order to counsel for the United States, to  
04 counsel for the defendant, to the United States Marshal, and to the United States  
05 Pretrial Services Officer.

06 DATED this 29th day of September, 2008.

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08 Mary Alice Theiler  
09 United States Magistrate Judge